

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:07cr21

UNITED STATES OF AMERICA,)
)
 v.)
)
 THOMAS G. REITZ)
)

**FINAL ORDER AND
JUDGMENT OF FORFEITURE**

On November 28, 2007, this Court entered a Preliminary Order of Forfeiture, pursuant to 21 U.S.C. § 853 and Fed. R. Crim. P. 32(b)(2), based upon the conviction of Defendant on Bill of Information Count One of conspiracy to commit mail and wire fraud in violation of 18 U.S.C. § 1349 and Count Two of conspiracy to commit money laundering in violation of 18 U.S.C. § 1956(h). On March 11, 2008 and again on April 3, 2008, this Court amended the Preliminary Order of Forfeiture.

On July 25, August 1, and August 8, 2008, notice of forfeiture of the forfeitable properties, other than the real property in Cherokee County, Alabama, was published in The Mecklenburg Times, a newspaper of general circulation. In addition, for thirty days beginning on August 5, 2008, the United States posted, on www.forfeiture.gov, notice of forfeiture of the properties, including the real property in Cherokee County, Alabama. Also, the Preliminary Order of Forfeiture was posted on the real property in Cherokee County, Alabama. Lastly, the United States mailed notice, via certified mail, to “The Company Corporation,” the registered agent of Hawk Ridge Timber, titled owner of the real property in Cherokee County, Alabama. Petitions were not filed by any persons asserting interests in the properties described herein, and the time for filing petitions has now expired. *See* 21 U.S.C. § 853(n)(2) (thirty day time period, beginning on earlier of final date of publication of notice or date of receipt of direct notice, for filing petitions).

Based on the record in this case, the Court finds, in accordance with Fed. R. Crim. P. 32.2(c)(2) and (e)(1), that the defendant had an interest in the property listed below and such interest is forfeitable under 18 U.S.C. § 982 and 21 U.S.C. § 853. The Preliminary Order of Forfeiture has therefore become final as to the below listed property, and the property is subject to forfeiture pursuant to Rule 32.2(c)(2) and (e)(1).

It is therefore ORDERED, ADJUDGED, AND DECREED that all right, title, and interest in the following property is hereby forfeited to the United States for disposition according to law:

- a. \$6,000,000 in criminal proceeds, which represents an initial approximate amount of \$38,000,000 in money judgment, reduced by \$32,000,000, which is the estimated value of seized or restrained specific assets;
- b. funds in the amount of \$22,821,122.53 from the following accounts, less adjustment for the approximately \$9,807,956.77 in disbursement to victims pursuant to the Consent Order for Interim Distribution for Restitution:
 - i. The sum of approximately \$7,760,691.02, initially seized from the following accounts at Wachovia Bank, NA:

<u>Name on Account</u>	<u>Account Number</u>
Reitz Group, Inc.	6968, 7952, 8524, 8664, 7103, 8161
Thomas G. Reitz	8161
Carolina L. Reitz	5102
INTAC	6504, 9933, 6606

- ii. The sum of approximately \$1,305,492.63, initially seized from the following account at Wachovia Securities, LLC

<u>Name on Account</u>	<u>Account Number</u>
Thomas G. Reitz	3574

- iii. The sum of approximately \$385,163.00, initially seized from the following accounts at Bear, Stearns & Co.:

<u>Name on Account</u>	<u>Account Number</u>
Reitz Group	1243
Thomas G. Reitz	0274, 1254
Caroline L. Reitz	0276

- iv. The sum of approximately \$578,159.24, initially seized from the following accounts at UBS Financial Services, Inc., adjusted to \$278,159.24 to account for the Consent Order for Third-Party Petition And Motion for Return of Property, (Dkt. 45), whereby \$300,000.00 was distributed to Caroline Reitz:

<u>Name on Account</u>	<u>Account Number</u>
Thomas G. Reitz	561-C2
Thomas G. Reitz and Caroline L. Reitz	987-C2

- v. The sum of approximately \$371,137.85, initially seized from the following accounts at First Bank of the South:

<u>Name on Account</u>	<u>Account Number</u>
Thomas G. Reitz and Caroline L. Reitz	5685
Timothy H. Reitz	5735
John J. Reitz	5727
Matthew W. Reitz	3888

- vi. The sum of approximately \$26,898.03, initially seized from the following account at Global Asset Management, Inc.:

<u>Name on Account</u>	<u>Account Number</u>
Thomas G. Reitz	5437

- vii. The sum of approximately \$126,317.69, initially seized from the following accounts at Bank of America:

<u>Name on Account</u>	<u>Account Number</u>
Caroline L. Reitz	6556, 0859

- viii. The sum of \$21,105,270.24 recovered from the following UBS AG, Zurich, Switzerland account:

<u>Name on Account</u>	<u>Account Number</u>
Reitz Group, Inc.	9070


- ix. Subsequent amounts received as interest or deposits in the foregoing accounts in addition to the sums initially seized:

<u>Financial Institution/Account</u>	<u>Amount</u>
Wachovia Bank/8524	\$182,363.13
Wachovia Bank/8664	\$29.31

Wachovia Bank/7103	\$631,242.72
Wachovia Bank/9963	\$7,937.30
Wachovia Bank/6606	\$16,071.40
Wachovia Securities/6140	\$74,260.51
Wachovia Securities/0843	\$139,019.37
Wachovia Securities/3574	\$189,181.96; and

- x. an additional amount of approximately \$29,843.90 determined to be on-deposit in one or more of the Wachovia Bank accounts and paid in compliance with the applicable seizure warrants.
- c. real property in Cherokee County, Alabama, more particularly described in Exhibit A to the Preliminary Order of Forfeiture; and
- d. an additional \$181,822.17—derived from the sale of Defendant’s residence at 5755 Common Lane, Alpharetta, Georgia—forfeitable as Section 853(p) substitute property, in partial satisfaction of the \$6,000,000 in amount of unsatisfied money judgment identified in sub-paragraph a above.

Signed: October 8, 2008


 Robert J. Conrad, Jr.
 Chief United States District Judge 